

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION

**FILED**

2014 AUG -5 PM 2:40

CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY \_\_\_\_\_ DEPUTY *JP*

AUBREY LEE MAYES, §  
PLAINTIFF, §

V. §

CIVIL NO. A-14-CV-0355-LY

ONEBEACON AMERICAN §  
INSURANCE COMPANY, KUNKEL & §  
ASSOCIATES, INC., ATLANTIC §  
SPECIALITY INSURANCE COMPANY, §  
BRENTWOOD SERVICES §  
ADMINISTRATORS, INC., AND §  
LESSLEY SERVICES, LLC, §  
INSURANCE COMPANY, §  
DEFENDANTS. §

**ORDER ON REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

Before the court is the above styled and numbered cause. By Order rendered May 12, 2014, the court referred Plaintiff Aubrey Mayes' Plaintiff's Memorandum in Support of Motion to Remand filed May 2, 2014 (Clerk's Document No. 5) to the United States Magistrate judge for a report and recommendation (Clerk's Document No. 9). *See* 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72; Loc. R. W.D. Tex. Appx. C, R. 1(c). By Report and Recommendation of the United States Magistrate Judge signed July 17, 2014, the magistrate judge recommends that this court grant the motion and remand this action to the 277th Judicial District Court in Williamson County, Texas (Clerk's Document No. 13). The parties received the report and recommendation on July 17, 2014. Objections if any, were due to be filed on or before July 31, 2014. To date no objections have been filed.

A party's failure to timely file written objections to the proposed findings, conclusions, and recommendations in a report and recommendation bars that party, except upon grounds of plain

error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court. *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415 (5th Cir. 1996) (en banc). The court, having reviewed the entire record and finding no plain error, accepts the report and recommendation filed in this action.

**IT IS ORDERED** that the Report and Recommendation of the United States Magistrate Judge (Clerk's Document No. 13) filed in this action is hereby **ACCEPTED AND ADOPTED**.

**IT IS FURTHER ORDERED** that Plaintiff Aubrey Mayes' Plaintiff's Memorandum in Support of Motion to Remand filed May 2, 2014 (Clerk's Document No. 5) is **GRANTED**.

**IT IS FURTHER ORDERED** that this action is **REMANDED** to the 277th Judicial District Court of Williamson County, Texas.

SIGNED this 5th day of August, 2014.

  
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LEE YEAKEL  
UNITED STATES DISTRICT JUDGE